UNITED STATES PATENT AND TRADEMARK OFFICE

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10/085,351	02/28/2002	Frank T. Wiczkowski		6630

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *2/20/08*.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-30* is/are pending in the application.

     4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-30* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

     a)☐ All   b)☐ Some * c)☐ None of:

         1.☐ Certified copies of the priority documents have been received.

         2.☐ Certified copies of the priority documents have been received in Application No. _____.

         3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

     * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO/SB/08)
     Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
     Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

DETAILED ACTION

1.   Claims 1-30 remained pending.

Claim Rejections - 35 USC § 102

2.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section
122(b), by another filed in the United States before the invention by the applicant for
patent or (2) a patent granted on an application for patent by another filed in the United
States before the invention by the applicant for patent, except that an international
application filed under the treaty defined in section 351(a) shall have the effects for
purposes of this subsection of an application filed in the United States only if the
international application designated the United States and was published under Article
21(2) of such treaty in the English language.

3.   Claims 1-30, are rejected under 35 U.S.C. 102(e) as being anticipated by Stolfo

et al (Hereinafter U.S Pub: 2004/0002903A1).

As per claim 1, Stolfo discloses a method of conducting a transaction over an open

network for a customer comprising the steps of:

initiating a transaction session by validating a identity through a customer identification

process(see column 8 paragraphs 0082-0083 and column 2 paragraph 0014 lines 22-23 and

column 4 paragraph 0047 lines 7-10) assigning an anonymous personal purchasing identification

number to the customer corresponding to the transaction session, which personal purchasing

identification number is used for subsequent transactions by the customer (see column 8

paragraphs 0082-0083 and column 2 paragraph 0014 lines 22-23 and column 4 paragraph 0047

lines 7-10) presenting establishing connection through the open network for the customer using

the anonymous personal purchasing identification number as the sole identification(see column 2

paragraphs 0014 lines 15-17 and column 4 paragraph 0047 and paragraph 0083) of the customer

through a proxy to permit the customer to access transaction vendors anonymously over the open

network(Note abstract and see column 15 paragraphs 0172-0180 and column 8 paragraphs

0082-0083 and column 2 paragraph 0014 lines 22-23 and column 4 paragraph 0047 lines 7-10)

entering into a transaction requiring payment to a transaction vendor via the anonymous personal purchasing identification number, transmitting payment for the transaction from the customer to the proxy; and confirming payment to the vendor from the proxy for the transaction. (Note abstract and see column 15 paragraphs 0172-0180 and column 8 paragraphs 0082-0083 and column 2 paragraph 0014 lines 22-23 and column 4 paragraph 0047 lines 7-10).

As per claim 2, Stolfo discloses 1 wherein said step of transmitting payment for the transaction utilizes a credit card having corresponding credit card information issued to the proxy for a limited period of time so that the exposure of the credit card information over the open network is limited in time. (Note abstract and see column 15 paragraphs 0172-0180 and column 8 paragraphs 0082-0083 and column 2 paragraph 0014 lines 22-23 and column 4 paragraph 0047 lines 7-10).

As per claim 3, Stolfo discloses wherein said limited period of time during which the credit card can be used for purchases over the open network is one day. (Note abstract and see column 15 paragraphs 0172-0180 and column 8 paragraphs 0082-0083 and column 2 paragraph 0014 lines 22-23 and column 4 paragraph 0047 lines 7-10).

As per claim 4, Stolfo discloses wherein said personal purchasing identification number is utilized over the open network only for a limited period. (Note abstract and see column 15 paragraphs 0172-0180 and column 8 paragraphs 0082-0083 and column 2 paragraph 0014 lines 22-23 and column 4 paragraph 0047 lines 7-10).

As per claim , Stolfo discloses wherein said limited period is a period of time for validity of said personal purchasing identification number, said period of time being one day. (Note abstract and see column 15 paragraphs 0172-0180 and column 8 paragraphs 0082-0083 and column 2 paragraph 0014 lines 22-23 and column 4 paragraph 0047 lines 7-10).

As per claim 6, Stolfo discloses wherein said limited period corresponds to a predetermined number of uses of said personal purchasing identification number. (Note abstract and see column 15 paragraphs 0172-0180 and column 8 paragraphs 0082-0083 and column 2 paragraph 0014 lines 22-23 and column 4 paragraph 0047 lines 7-10).

As per claim 7, Stolfo discloses wherein said predetermined number of uses for which said personal purchasing identification number is valid is one transaction. (Note abstract and see

column 15 paragraphs 0172-0180 and column 8 paragraphs 0082-0083 and column 2 paragraph 0014 lines 22-23 and column 4 paragraph 0047 lines 7-10).

As per claim 8, Stolfo discloses wherein said step of initiating a transaction session involves at least one of password protection, biometric input protection and smart cart input/output protection. (Note abstract and see column 15 paragraphs 0172-0180 and column 8 paragraphs 0082-0083 and column 2 paragraph 0014 lines 22-23 and column 4 paragraph 0047 lines 7-10).

As per claim 9, Stolfo discloses wherein said proxy is a server connected to other servers to validate customer information and identification, maintain account information, validate and track transactions, and validate vendors of transactions. (Note abstract and see column 15 paragraphs 0172-0180 and column 8 paragraphs 0082-0083 and column 2 paragraph 0014 lines 22-23 and column 4 paragraph 0047 lines 7-10).

As per claim 10, Stolfo discloses wherein one of said other servers is a credit card management server on which is stored said credit card information, said credit card management server is protected by at least one firewall engine and access from outside said process through a customer intruder alert and detection engine. (Note abstract and see column 15 paragraphs 0172-0180 and column 8 paragraphs 0082-0083 and column 2 paragraph 0014 lines 22-23 and column 4 paragraph 0047 lines 7-10).

As per claim 11, Stolfo discloses wherein communications between said customer and said proxy server are encrypted. (Note abstract and see column 15 paragraphs 0172-0180 and column 8 paragraphs 0082-0083 and column 2 paragraph 0014 lines 22-23 and column 4 paragraph 0047 lines 7-10).

As per claim 12, Stolfo discloses wherein said transaction involves the purchase of goods, said method further comprising the steps of:
shipping of said goods by said vendor to a courier for delivery of said goods to said customer (Note abstract and see column 15 paragraphs 0172-0180 and column 8 paragraphs 0082-0083 and column 2 paragraph 0014 lines 22-23 and column 4 paragraph 0047 lines 7-10) informing said courier of a delivery address corresponding to said personal purchasing identification number by said proxy(Note abstract and see column 15 paragraphs 0172-0180 and column 8 paragraphs 0082-0083 and column 2 paragraph 0014 lines 22-23 and column 4

paragraph 0047 lines 7-10) and delivering said goods to said customer by said courier(Note abstract and see column 15 paragraphs 0172-0180 and column 8 paragraphs 0082-0083 and column 2 paragraph 0014 lines 22-23 and column 4 paragraph 0047 lines 7-10).

As per claim 13, Stolfo discloses a method of A method of providing an anonymous transaction for a customer over the Internet comprising the steps of:
interposing a secure anonymous transaction engine between said customer and said Internet for said customer to access the Internet;
validating the identity of said customer; assigning an anonymous personal purchasing identification number to said customer (Note abstract and see column 15 paragraphs 0172-0180 and column 8 paragraphs 0082-0083 and column 2 paragraph 0014 lines 22-23 and column 4 paragraph 0047 lines 7-10) using a proxy server to permit said customer to browse the Internet through the identity of said anonymous personal purchasing identification number;
maintaining customer information, including identity information and credit card information on a credit card management server within said secure anonymous transaction engine (Note abstract and see column 15 paragraphs 0172-0180 and column 8 paragraphs 0082-0083 and column 2 paragraph 0014 lines 22-23 and column 4 paragraph 0047 lines 7-10) entering into a transaction requiring a payment with a transaction vendor by said proxy server using said anonymous personal purchasing identification number, wherein the anonymous personal purchasing identification number serves as the sole identification of the customer for all transactions outside of the proxy server without identifying personal information of the customer (Note abstract and see column 15 paragraphs 0172-0180 and column 8 paragraphs 0082-0083 and column 2 paragraph 0014 lines 22-23 and column 4 paragraph 0047 lines 7-10) transmitting payment for the transaction from the customer to the secure anonymous transaction engine; and confirming payment to the vendor from the secure anonymous transaction engine for the transaction(Note abstract and see column 15 paragraphs 0172-0180 and column 8 paragraphs 0082-0083 and column 2 paragraph 0014 lines 22-23 and column 4 paragraph 0047 lines 7-10).

As per claim 14, Stolfo discloses wherein said step of validating the identity of said customer utilizes at least one of password protection, biometric input protection and smart cart input/output protection. (Note abstract and see column 15 paragraphs 0172-0180 and column 8

paragraphs 0082-0083 and column 2 paragraph 0014 lines 22-23 and column 4 paragraph 0047 lines 7-10).

As per claim 15, Stolfo discloses wherein said step of effecting payment for the transaction utilizes a credit card having corresponding credit card information issued to the secure anonymous transaction engine for a limited period of time so that the exposure of the credit card information over the open network is limited in time. (Note abstract and see column 15 paragraphs 0172-0180 and column 8 paragraphs 0082-0083 and column 2 paragraph 0014 lines 22-23 and column 4 paragraph 0047 lines 7-10).

As per claim 16, Stolfo discloses wherein the use of said personal purchasing identification number is limited by at least one of time or number of uses. (Note abstract and see column 15 paragraphs 0172-0180 and column 8 paragraphs 0082-0083 and column 2 paragraph 0014 lines 22-23 and column 4 paragraph 0047 lines 7-10).

As per claim 17, Stolfo discloses wherein the valid use of said personal purchasing identification number is limited to a time period of approximately one day. (Note abstract and see column 15 paragraphs 0172-0180 and column 8 paragraphs 0082-0083 and column 2 paragraph 0014 lines 22-23 and column 4 paragraph 0047 lines 7-10).

As per claim 18, Stolfo discloses wherein said credit card management server is protected from access from outside the secure anonymous transaction engine by at least one firewall engine and through a customer intruder alert and detection engine. (Note abstract and see column 15 paragraphs 0172-0180 and column 8 paragraphs 0082-0083 and column 2 paragraph 0014 lines 22-23 and column 4 paragraph 0047 lines 7-10).

As per claim 19, Stolfo discloses a secure anonymous transaction system for permitting a customer to communicate with a vendor over the Internet without exposing the customer's identity or the customer's financial information comprising:
a proxy server through which said customer can communicate over the Internet without divulging the identity of the customer (Note abstract and see column 15 paragraphs 0172-0180 and column 8 paragraphs 0082-0083 and column 2 paragraph 0014 lines 22-23 and column 4 paragraph 0047 lines 7-10) said proxy server creating an anonymous personal purchasing identification number for the customer for use as the sole identification of the customer for subsequent transactions on behalf of the customer over the Internet. said proxy server

maintaining a secure communications environment with the customer that ensures the identity of the customer remains anonymous outside of the proxy server (Note abstract and see column 15 paragraphs 0172-0180 and column 8 paragraphs 0082-0083 and column 2 paragraph 0014 lines 22-23 and column 4 paragraph 0047 lines 7-10) a virus protection engine to detect and prevent the entry of viruses and similar devices into said secure anonymous transaction system;

a firewall to limit access into the secure anonymous transaction system; and data encryption for encrypting communications between the customer and the proxy server. (Note abstract and see column 15 paragraphs 0172-0180 and column 8 paragraphs 0082-0083 and column 2 paragraph 0014 lines 22-23 and column 4 paragraph 0047 lines 7-10).

As per claim 20, Stolfo discloses further comprising: a customer validity engine to validate the identity of the customer before permitting access of said customer into said secure anonymous transaction system;

a personal purchasing identification management engine to assign a personal purchasing identification number to said customer upon being validated to permit communication over the Internet by said proxy server without divulging the identity of said customer (Note abstract and see column 15 paragraphs 0172-0180 and column 8 paragraphs 0082-0083 and column 2 paragraph 0014 lines 22-23 and column 4 paragraph 0047 lines 7-10) and

an audit trail engine to track transactions for said customer within said secure anonymous transaction system without providing customer information outside the secure anonymous transaction system. (Note abstract and see column 15 paragraphs 0172-0180 and column 8 paragraphs 0082-0083 and column 2 paragraph 0014 lines 22-23 and column 4 paragraph 0047 lines 7-10).

As per claim 21, Stolfo discloses wherein the personal purchasing identification number assigned by said personal purchasing identification management engine has a limited duration for validity. (Note abstract and see column 15 paragraphs 0172-0180 and column 8 paragraphs 0082-0083 and column 2 paragraph 0014 lines 22-23 and column 4 paragraph 0047 lines 7-10).

As per claim 22 Stolfo discloses said audit trail engine provides user trend information for utilization within said secure anonymous transaction system. (Note abstract and see column 15 paragraphs 0172-0180 and column 8 paragraphs 0082-0083 and column 2 paragraph 0014 lines 22-23 and column 4 paragraph 0047 lines 7-10).

As per claim 23, Stolfo discloses further comprising: a credit card management server on which is stored credit card information of said customer, said credit card management server providing a proxy credit card number to said vendor upon the entry of a commercial transaction on behalf of said customer. (Note abstract and see column 15 paragraphs 0172-0180 and column 8 paragraphs 0082-0083 and column 2 paragraph 0014 lines 22-23 and column 4 paragraph 0047 lines 7-10).

As per claim 24, Stolfo discloses wherein said proxy credit card number has a limited validity period. (Note abstract and see column 15 paragraphs 0172-0180 and column 8 paragraphs 0082-0083 and column 2 paragraph 0014 lines 22-23 and column 4 paragraph 0047 lines 7-10).

As per claim 25, Stolfo discloses a secure anonymous transaction system for permitting a customer to communicate with a vendor over the Internet without exposing the customer's identity or the customer's financial information comprising:
a proxy server through which said customer can communicate over the Internet without divulging the identity of the customer said proxy server creating an anonymous personal purchasing identification number for the customer for use as the sole identification of the customer for subsequent transactions on behalf of the customer over the Internet, said proxy server maintaining a secure communications environment with the customer that ensures the identity of the customer remains anonymous outside of the proxy server (Note abstract and see column 15 paragraphs 0172-0180 and column 8 paragraphs 0082-0083 and column 2 paragraph 0014 lines 22-23 and column 4 paragraph 0047 lines 7-10) a customer validity engine to validate the identity of the customer before permitting access of said customer into said secure anonymous transaction system (Note abstract and see column 15 paragraphs 0172-0180 and column 8 paragraphs 0082-0083 and column 2 paragraph 0014 lines 22-23 and column 4 paragraph 0047 lines 7-10)
a personal purchasing identification management engine to assign a personal purchasing identification number to said customer upon being validated to permit communication over the Internet by said proxy server without divulging the identity of said customer; and
a credit card management engine on which is stored credit card information of said customer, said credit card management engine providing a proxy credit card number to said vendor upon

the entry of a commercial transaction on behalf of said customer. (Note abstract and see column 15 paragraphs 0172-0180 and column 8 paragraphs 0082-0083 and column 2 paragraph 0014 lines 22-23 and column 4 paragraph 0047 lines 7-10).

As per claim 26, Stolfo discloses further comprising: a virus protection engine to detect and prevent the entry of viruses and similar devices into said secure anonymous transaction system; and

a firewall to limit access into the secure anonymous transaction system. (Note abstract and see column 15 paragraphs 0172-0180 and column 8 paragraphs 0082-0083 and column 2 paragraph 0014 lines 22-23 and column 4 paragraph 0047 lines 7-10).

As per claim 27, Stolfo discloses further comprising: an audit trail engine to track transactions for said customer within said secure anonymous transaction system without providing customer information outside the secure anonymous transaction system. (note abstract and see column 1 para 0002, and 0008-0009 and column 3 para 0022 and 0025).

 As per claim 28, Stolfo discloses wherein communications between said customer and said secure anonymous transaction system are encrypted by data encryption software. (Note abstract and see column 15 paragraphs 0172-0180 and column 8 paragraphs 0082-0083 and column 2 paragraph 0014 lines 22-23 and column 4 paragraph 0047 lines 7-10).

As per claim 29, Stolfo discloses wherein the personal purchasing identification number assigned by said personal purchasing identification management engine has a limited duration for validity, said proxy credit card number also having a limited validity period. (Note abstract and see column 15 paragraphs 0172-0180 and column 8 paragraphs 0082-0083 and column 2 paragraph 0014 lines 22-23 and column 4 paragraph 0047 lines 7-10).

As per claim 30, Stolfo discloses further comprising: a shipping center for receiving goods from said vendor shipped to said personal purchasing identification number, said shipping center being operable to direct said goods to said customer so that said customer remains anonymous to said vendor. (Note abstract and see column 15 paragraphs 0172-0180 and column 8 paragraphs 0082-0083 and column 2 paragraph 0014 lines 22-23 and column 4 paragraph 0047 lines 7-10).

CONCLUSION

4.   Applicant 's arguments filed on 02/20/2008 have been fully considered but they are moot in view of new grounds of rejections.

5.   Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to CLEMENT B. GRAHAM whose telephone number is (571)272-6795. The examiner can normally be reached on 7am to 5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kambiz Abdi can be reached on (571) 272-6702. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

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For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a

USPTO Customer Service Representative or access to the automated information

system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Frantzy Poinvil/
Primary Examiner, Art Unit 3692

CG
May 20, 2008